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Attorneys for Defendants Monmouth County Park System and County of Monmouth
(PLL-1394)

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LAURA H. LIENECK
Middletown, NJ 07748

and

ROBIN OSTROWSKI
Red Bank, NJ 07701

Plaintiffs,

v.

MONMOUTH COUNTY PARK SYSTEM
805 Newman Springs Road
Lincroft, NJ 07738

and

COUNTY OF MONMOUTH
33 Mechanic Street
Freehold, NJ 07728

Defendants.

Case No.: 3:17-cv-05820-PGS-TJB

Civil Action

**ANSWER and
AFFIRMATIVE DEFENSES**

Defendants Monmouth County Park System and County of Monmouth (hereinafter
“Defendants”), by way of Answer to the Complaint of Plaintiffs, by and through their attorneys,
aver and say:

I. INTRODUCTION

This paragraph contains allegations of law to which Plaintiffs are left to their proofs.

II. PARTIES

1. Defendants lack sufficient knowledge to either admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.
2. Defendants admit the allegations of this paragraph.
3. Defendants lack sufficient knowledge to either admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.
4. Defendants admit the allegations of this paragraph.
5. This paragraph contains allegations of law to which Plaintiffs are left to their proofs.
6. Defendants admit the allegations of this paragraph.
7. This paragraph contains allegations of law to which Plaintiffs are left to their proofs.
8. This paragraph contains allegations of law to which Plaintiffs are left to their proofs.
9. Defendants deny the allegations of this paragraph.
10. This paragraph contains allegations of law to which Plaintiffs are left to their proofs.
11. Defendants lack sufficient knowledge to either admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.
12. This paragraph contains allegations of law to which Plaintiffs are left to their proofs.
13. This paragraph contains allegations of law to which Plaintiffs are left to their proofs.
14. This paragraph contains allegations of law to which Plaintiffs are left to their proofs.
15. Defendants lack sufficient knowledge to either admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.
16. This paragraph contains allegations of law to which Plaintiffs are left to their proofs.

III. JURISDICTION AND VENUE

17. This paragraph contains allegations of law to which Plaintiffs are left to their proofs.
18. This paragraph contains allegations of law to which Plaintiffs are left to their proofs.
19. This paragraph contains allegations of law to which Plaintiffs are left to their proofs.
20. This paragraph contains allegations of law to which Plaintiffs are left to their proofs.
21. Defendants solely admit “Exhibit 1” to Plaintiffs’ Complaint speaks for itself.
22. Defendants solely admit “Exhibit 2” to Plaintiffs’ Complaint speaks for itself.
23. Defendants solely admit “Exhibit 3” to Plaintiffs’ Complaint speaks for itself.
24. Defendants solely admit “Exhibit 4” to Plaintiffs’ Complaint speaks for itself.
25. Defendants solely admit “Exhibit 5” to Plaintiffs’ Complaint speaks for itself.
26. Defendants solely admit “Exhibit 6” to Plaintiffs’ Complaint speaks for itself.
27. This paragraph contains allegations of law to which Plaintiffs are left to their proofs.

IV. FACTUAL ALLEGATIONS

28. Defendants lack sufficient knowledge to either admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.
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35. Defendants lack sufficient knowledge to either admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

36. Defendants deny the allegations of this paragraph.

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56. Defendants deny the allegations of this paragraph.

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61. Defendants deny the allegations of this paragraph.

62. Defendants deny the allegations of this paragraph.

63. Defendants deny the allegations of this paragraph.

64. Defendants deny the allegations of this paragraph.

65. Defendants deny the allegations of this paragraph.

COUNT I-TITLE VII

66. Defendants repeat and reiterate the allegations of the preceding paragraphs as if set forth fully herein.

67. Defendants deny the allegations of this paragraph.

68. Defendants deny the allegations of this paragraph.

69. Defendants deny the allegations of this paragraph.

70. Defendants deny the allegations of this paragraph.

71. Defendants lack sufficient knowledge to either admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

COUNT II-EPA

72. Defendants repeat and reiterate the allegations of the preceding paragraphs as if set forth fully herein.

73. Defendants deny the allegations of this paragraph.

74. Defendants deny the allegations of this paragraph.

75. Defendants deny the allegations of this paragraph.

76. Defendants deny the allegations of this paragraph.

77. Defendants lack sufficient knowledge to either admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

COUNT III-NJLAD

78. Defendants repeat and reiterate the allegations of the preceding paragraphs as if set forth fully herein.

79. Defendants deny the allegations of this paragraph.

80. Defendants deny the allegations of this paragraph.

81. Defendants deny the allegations of this paragraph.

82. Defendants deny the allegations of this paragraph.

83. Defendants lack sufficient knowledge to either admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

RELIEF

WHEREFORE, Defendants demand judgment dismissing Plaintiffs' Complaint, with prejudice, together with attorney's fees, interest and costs of suit.

AFFIRMATIVE DEFENSES

1. Plaintiffs' Complaint fails to set forth a claim upon which relief may be granted and Defendants reserve the right to move to dismiss same at or before trial.

2. Plaintiffs' claims are barred by the doctrines of res judicata, collateral estoppel, equitable estoppel and/or waiver.

3. Plaintiffs' claims are frivolous and without any reasonable basis in law or fact; cannot be supported by a good faith argument for extension, modification or reversal of existing law; are lacking in evidentiary support; and are in violation of the Federal Rules of Civil Procedure.

4. Plaintiffs' causes of action, or some of them, are barred by the applicable Statutes of Limitations.

5. Defendants did not violate any of Plaintiffs' rights as protected by Federal or State laws.

6. Plaintiffs are not entitled to punitive damages as a matter of law.
7. Plaintiffs are not entitled to an award of attorney's fees as to any of the claims contained in the Complaint.
8. At all times relevant hereto, Defendants complied with all Federal and State laws.
9. Plaintiffs failed to properly exhaust administrative remedies prior to filing suit.
10. Defendants committed no unlawful act in connection with any decision involving Plaintiffs' employment or compensation.
11. Defendants committed no discriminatory or retaliatory act in connection with any decision involving Plaintiffs' employment or compensation.
12. At all times relevant hereto, Defendants compensated Plaintiffs in accordance with the relevant collective bargaining agreement.
13. At all times relevant hereto, Defendants compensated Plaintiffs equally to members of the opposite sex for equal work.
14. Any differential payments in compensation to members of the opposite sex by Defendants for equal work was due to a seniority system, merit system or any other factor than sex.
15. Defendants reserve the right to interpose such other defenses as may be applicable and/or adduced with continuing discovery up to and including the time of trial.

JURY DEMAND

Defendants demand a trial by jury on all issues.

DESIGNATION OF TRIAL COUNSEL

Steven W. Kleinman, Esq. is hereby designated as trial counsel for Defendants.

CLEARY GIACOBBE ALFIERI JACOBS, LLC
Attorneys for Defendants Monmouth County Park
System and County of Monmouth

By: /s/ Paul L. LaSalle
PAUL L. LASALLE

Dated: October 13, 2017